

1894-002

Lee Co.

Chancery Causes: Silas H. Hale for &c vs. J. W. M. Grabeel &c

Morgan, Armstrong, Powells Valley Bank, Hensley, Fulkerson

CA-Debt

T-Property

1 To the Hon. H. S. K. Morison Judge of the Circuit
2 Court of Lee County Virginia;

3 Humbly complaining your Oration Silas H. Hale
4 who sues for the benefit of Henry J. Morgan and Wm. K. Ar-
5 strong late private bankers doing business under the name
6 and title of Pavells Valley Bank would respectfully represent.

7 That about the year 1871 the farm known in the right
8 as the Peter Fulkerson Homestead lying on both sides
9 of the main road in Lee county about 14 miles west of Janesville
10 was partitioned by commissioners among his heirs at law
11 and by this partition there was assigned to Sylvester P.
12 Hensley, and his sister Margaret F. L. Hensley two grand
13 children of the said Peter Fulkerson died about 88 acres of
14 said farm, which was considered at the time, as being
15 one third thereof in value, and this lot of land so assigned
16 them lies on both sides of the main road, and betwixt the
17 lands of Josephus Groebel, and the farm owned by E. S. King.

18 Your Oration states that one J. W. M. Groebel purchased of
19 the said Sylvester P. Hensley his undivided half of said lot
20 of land, and by deed dated the 18th the said S. P.
21 Hensley conveyed the same to said J. W. M. Groebel in fee simple,
22 but this half of said lot of land so conveyed by said Hensley to
23 J. W. M. Groebel has recently been sold under a deed of Trust
24 executed by said Groebel to secure certain debts due E. S. King
25 & others, and was purchased at the Trustee's sale thereof, by
26 Charles E. Bayler.

27 Your Oration states that during the year 1880 perhaps
28 in the fall of that year, the said J. W. M. Groebel married
29 the said Margaret F. L. Hensley who owned the other half of
30 said lot of land, and by this marriage the said J. W. M. Groebel
31 became tenant by the entirety in and to one undivided
32 half of said 88 acre lot or tract of land.

1 Your Orator states that during the time this marriage
2 relation existed between the said J W M Grobel and Margaret
3 F L Grobel (ne. Margaret F L Hensley) there was born to them
4 alive two children who are yet living, and their names are
5 Lizzie E. Grobel, and Edouise Grobel, both of whom are minors
6 under 21 years of age.

7 Your Orator further states that after the birth of said two
8 children about the month of December 1887, the said
9 Margaret F L Grobel (ne. Hensley) died intestate in this county,
10 leaving said two children her heirs at law, to whom the legal
11 title to an undivided half of said lot or parcel of land descended
12 subject to the life curtesy of the said J W M Grobel then

13 Your Orator states that at the death of said Margaret
14 F L Grobel (ne. Hensley) the said J W M Grobel became tenant
15 by the curtesy consummate, in and to one undivided half
16 of said lot or tract of land, and as such tenant, is entitled
17 to the use, occupation, rents, and profits thereof, during his
18 natural life;

19 Your Orator now states, that on the 3rd day of April 1892
20 he for the benefit of said Morgan & Armstrong private bankers
21 obtained in your Honors Court on the law side thereof
22 a judgment against the said J W M Grobel for \$300.00 with
23 legal interest on \$75.00 part thereof from Oct 12 1890, on \$75.00
24 thereof from Nov. 12 1890, on \$75.00 from Dec. 12 1890 and on \$75.00
25 the residue thereof from Jan'y 12 1891 till paid and the cost
26 of suit amounting to \$60.83, and a copy of said judgment
27 is herewith filed as a part of this bill marked (A)

28 Your Orator states that said judgment has been regularly
29 docketed in the judgment lien docket in the clerks office
30 of Lee County Court, and each and each and every part
31 thereof is now due and owing to your Orator for the use and
32 benefit of said H J Morgan & L S. Anderson who has purchased
said Armstrongs interest therein.

1 Your Orator states that soon after said judgment was rendered
2 an execution was issued thereon and placed in the hands of the
3 sheriff for collection, but the same was returned as property
4 found, liable to levy, and the said Grabel has all the
5 time been insolvent and is now hopelessly so.

6 Your Orator states, that about the month of Nov. 1892
7 the said J. W. M. Grabel as your Orator is informed & believes
8 undertook and agreed to lease and rent said undivided
9 half of said 88 acre tract of land to his brother B. C. Grabel
10 for the period of five years at one hundred dollars per
11 year, and this your Orator alleges is an inadequate
12 price and that soon after effecting the said renting
13 the said J. W. M. Grabel took his said two children, and
14 left the state of Virginia so that he and said two children
15 are now non residents of the state.

16 Your Orator now states, that his said judgment at law, operates
17 as a lien on the life estate of said J. W. M. Grabel in said half
18 of said 88 tract of land, and that no leasing or renting thereof
19 by the said J. W. M. Grabel can bar or deprive your Orator
20 of his right to have said life estate sold to pay his said judgment.
21 But should your Honor be disposed to respect such renting
22 as may have been made between the said J. W. M. & B. C. Grabel
23 still the said rents are liable to be applied by a court of
24 equity to the payment of said judgment, And to obtain
25 the relief here indicated is the object of this bill.

26 The premises considered your Orator prays that the
27 said J. W. M. Grabel, B. C. Grabel Lizzie Grabel and
28 Elvise Grabel be made defendants to this bill and
29 be required to answer the same truly on oath, that order
30 of publication be entered posted and published against
31 the said J. W. M., Lizzie and Elvise Grabel, that a guardian
32 ad litem be appointed for said Lizzie and Elvise Grabel

1 To the Hon. H. S. K. Morrison, Judge of the Circuit Court of
2 Lee County, Virginia:

3 The answer of Elizabeth Grabel and Elouise
4 Grabel, infant defendants in this cause by L. I.
5 Hyatt Their guardian ad litem.

6 This respondent says that his said wards
7 are young and of tender years and as infants
8 are the peculiar wards of Courts of Equity. Their
9 interests therefore in this behalf are committed
10 to your Honor's care and keeping.

11 Respondent is not aware of any fact which
12 he could allege or set up on behalf of his said
13 wards to hinder or delay the plaintiff's right to
14 take and sell the life estate of J. W. M. Grabel,
15 as tenant by the curtesy in the one half interest
16 in the land referred to in the bill.

17 Respondent having now answered as fully
18 as deemed material prays that his said wards
19 be hence dismissed with their reasonable costs.

20 L. I. Hyatt,

21 Guardian ad litem for said infants.

Lizzie E. Trabeet et als.

Ads. { Ans. by G. A. L.

S. H. Hale for &c

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

1 Silas H. Hale for &c Plffs.
2 vs.
3 J. W. M. Grabeel & others Defts. } In Chy.

4 This cause came on this day to be
5 finally heard on the papers heretofore
6 read herein and the report of Special
7 Commissioner, L. S. Hyatt, filed in the
8 cause on the 14th day of March 1894,
9 showing a deed of conveyance by him as
10 Commissioner to B. C. Grabeel of the
11 life estate of J. W. M. Grabeel in the
12 undivided half interest in the 88
13 acre tract or parcel of land in the
14 bill and proceedings mentioned,
15 made pursuant to the requirements
16 of a decree entered in this cause on
17 the 10th day of March 1894, and was
18 argued by counsel; And the said
19 report being unaccepted to. On con-
20 sideration of all which it is ad-
21 judged, ordered and decreed that
22 the said report and the deed therewith
23 submitted be and the same is hereby
24 confirmed. And the clerk of this will
25 deliver to the Clerk of the County Court
26 of Lee County said deed for recorda-
27 tion. And no further action being
28 necessary in the cause the parties
29 are hence dismissed, and the cause
30 is stricken from the docket.

Silas H. Hale for re.

vs. $\frac{3}{4}$ Decree Final.

J. W. M. Grabeel & others

E. O. O. D. Page 587
Mch 14th 94

Enter this decree

March 14 1894

H. S. H. M.

Silas H. Hale for &c
vs.

Plff.

In Chy.

J. H. M. Grabeel & others Defts

This cause came on again this day to be further heard on the papers formerly read herein and the report of Special Commr. L. T. Hyatt, filed in the cause Feb 23^d 1894 showing a sale of the life estate in the bill mentioned to B. C. Grabeel and was argued by counsel and the said report being unaccepted to, on consideration of all which it is adjudged, ordered and decreed that the said report be and the same is hereby confirmed. And pursuant to a suggestion of the said Commissioner in his said report it is further ordered that the said L. T. Hyatt as Special Commissioner do convey by proper deed the life estate to the said B. C. Grabeel retaining therein the vendor's lien for the purchase money, and said Commissioner will report his action to the court and until the coming in thereof the cause is continued.

Silas H. Hale for &c.
vs. $\frac{1}{2}$ Decree No 2.

J. W. M. Grabel & others.

E. C. Orr Page 569

Mar 10 1894

Enter this

March 10 1894

H. S. K. M.

* On the motion of the Plaintiff L. J. Wyatt is appointed Guardian ad litem for the two infant defendants in the cause and on his motion leave is granted him to file his answer, and the same is accordingly filed, and thereupon -

1 Silas H. Hale for vs Plff }
2 vs } In Chancery.
3 J. W. M. Grabeel & others Defts }
4 * This cause came on this day to be heard
5 upon the bill of the plaintiff and exhibit there-
6 with taken for confessed by the adult defendants,
7 the answer of the infant defendants by guardian
8 ad litem, the order of publication duly entered,
9 posted and published, and was argued by
10 counsel. And it appearing to the court that the
11 life estate of the defendant, J. W. M. Grabeel, is lia-
12 ble to be taken and applied by a court of equity
13 to the payment of the judgement at law on the bill
14 of the plaintiff mentioned which operates as a
15 lien thereon. On consideration of all which it is
16 adjudged, ordered, and decreed that the plain-
17 tiff for the benefit of Morgan & Anderson, private
18 bankers, recover against the defendant J. W. M.
19 Grabeel, the sum of \$360.83 with legal interest
20 on \$75.00 part thereof from October 12th 1890, and
21 on \$75.00 another part thereof from November 12th
22 1890, and on \$75.00 another part thereof from De-
23 cember 12th 1890, and on \$75.00 another part there-
24 of from Jan, 12th 1891 till paid; and the costs
25 of this suit. And unless the sum above de-
26 creed the plaintiffs be paid to them within twenty
27 days from the rising of this court by the said
28 J. W. M. Grabeel or some one for him, then it is fur-
29 ther adjudged, ordered, and decreed that the
30 life estate of the said J. W. M. Grabeel, as tenant
31 by the curtesy in the one undivided half of the
32 88 acre tract of land in the bill mentioned, be

1 sold to pay the said decree or so much thereof as
 2 may be necessary for the purpose. The sale here
 3 ordered shall be made at public outcry to the
 4 highest bidder at the front door of the courthouse
 5 of Lee County on some court day after the same
 6 shall have been advertised thirty days prior thereto
 7 showing time, terms, and place of sale. At this
 8 sale so much cash as will pay the costs of this
 9 suit and commissions of sale shall be required
 10 to be paid in hand, and as to the residue six,
 11 twelve, and eighteen months time shall be given
 12 in equal instalments with interest from day of
 13 sale, and the purchaser is required to give bond
 14 with approved security for the deferred payments.
 15 And L. S. Hyatt is appointed a special Commissioner to
 16 execute this decree of sale, who before doing so
 17 is required to execute bond with good security
 18 in the penalty of \$700.00 with condition to account
 19 for all money he may receive in the cause, and
 20 he will report his action to the Court and the
 21 cause is continued.

22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 Silas H. Hale for &c
 vs
 Decrees No. 1.

J. H. M. Grabel & others

Entered Ch. O.B. p 526
 Nov. 14th 1893.

Entered this
 Nov. 14 1893.
 H. A. H. H.

Silas H. Hale for &c.

vs.

J. W. M. Grabel, B. C. Grabel, Lizzie Grabel
and Elvira Grabel

Plff

In Chancery

Defendants

I do swear that according ^{to} my information and belief the
said J. W. M. Grabel, Lizzie Grabel and Elvira Grabel are
each now residents of the State of Virginia, so help me God.

Henry J. Morgan

Sworn to before me by H. J. Morgan

Clerk

Silas H. Hale for or

vs } Affiant for Pub

J H M Goodrich et al

Silas H. Hale for vs.

Plff.

vs.

J. W. M. Grabeel & others Defts.

In Chy.

To The Hon. H. S. K. Morrisow, Judge of
The Circuit Court of Lee County, Va.

Your undersigned special Comr. having been appointed by a decree entered in the above styled cause on the 10th day of March 1894, for the purpose, begs leave to report, that, pursuant and according to the requirements of said decree, he has made, executed and acknowledged for record a deed of conveyance, by which he as Comr. has conveyed to B. C. Grabeel the life estate of J. W. M. Grabeel in the tract or parcel of land in the bill and proceedings mentioned, with covenants of special warranty, and the same is filed herewith for inspection and approval.

Respectfully Submitted
L. T. Hyatt,
Special Commissioner

March 14th 1894.

Silas H. Hale for &c.

Plaintiff.

vs.

In Chancery.

J.W.M. Grabeel and others.

Defendants.

Received of L.T. Hyatt, Comr. in the above styled cause eight dollars and eleven cents (\$8.11) in full of my costs in the above styled cause. This 22nd day of February 1894.

L.T. Hyatt, Late Clerk.

Received of L.T. Hyatt, Comr., in the above styled cause One dollar and seventy-one cents (\$1.71) in full of my fee in the above styled cause. This the 22 day of February 1894.

A.B. Munsey Clerk.

Received of L.T. Hyatt, Comr., in the above styled cause fifty cents in full of my costs in the above styled cause. This the ____ day of February 1894.

J.M. Weston D^y Sheriff.

Received of L.T. Hyatt, Comr., in the above styled cause five dollars (\$5.00) in full of Printers fee in the above styled cause, which, if I have not already done so, I agree to pay to G.C. Coleman, Printer. This 21st Feb 1894

Henry J. Morgan for
Covells Valley Bank

Received of L.T. Hyatt, Comr. \$15.00 fifteen dollars in full of Attorneys fee in the above styled cause. This Feb 22nd 1894.

Henry J. Morgan

Silas H. Hale for &c.

vs. Com'r's Report.

J.W.H. Grabeel and others.

1 Silas H. Hale for &c Plff }
2 vs. In Chy.
3 J. W. M. Grabeel & others Defs }

4 To The Hon. H. S. K. Morrison, Judge of the
5 Circuit Court of Lee County Virginia:

6 The undersigned special Commissioner
7 begs leave to submit the following report:
8 That, pursuant to your decree entered in
9 the above styled cause on the 14th day of
10 Nov. 1893, I proceeded on the 19th day of Feb.
11 1894, at the front door of the Courthouse
12 of Lee County, to offer for sale on the terms
13 prescribed by said decree to the highest
14 bidder the life estate of the defendant,
15 J. W. M. Grabeel, in the tract of land in
16 the bill and proceedings mentioned, when
17 one B. C. Grabeel offered for said life estate
18 the sum of \$400.00 and that being the high-
19 est and best bid offered therefor he became
20 the purchaser thereof at that price, he
21 thereupon paid me the sum of \$50.32
22 being the costs of this suit and commissions
23 of sale and \$3.00 thereof for future costs,
24 and this said sum deducted from the
25 gross sale leaves the sum of \$349.68, and
26 for this last mentioned sum he executed
27 to me as Commissioner with Josephus Grabeel
28 his security his six notes or bonds as
29 hereinafter stated bearing interest from
30 date and due and payable in six, twelve,
31 & eighteen months.

32 Now while the life estate did not bring

1 a high price, yet I regard it as a reason-
2 ably fair one, and am therefore of opinion
3 that the same ought to be confirmed.

4 The following tabular statement will
5 show the manner in which I have disbursed
6 the cash payment and the receipts for said
7 disbursements are hereto attached.

8	To cash received on day of sale	\$50.32
9	By this sum paid Hyatt Clerk's fees	\$8.11
10	" " " " Munsey " "	1.71
11	" " " " Weston Sheriff's fees	.50
12	" " " " Printer's fee	5.00
13	" Commissions on sale retained	17.00
14	" This sum paid H. J. Morgan Atty's fee	15.00
15	" Cash retained for future costs	3.00
		<u>\$50.32</u>

16 About the time this sale was made it was
17 ascertained that at the same term of your
18 Honor's Court at which the judgement sought
19 to be enforced in this suit was rendered, an-
20 other judgement was rendered by your honor
21 in favor of Harrison Edds against J. W. M.
22 Grabeel and Josephus Grabeel, his security,
23 At a subsequent time the said Josephus
24 Grabeel paid off and discharged this last
25 mentioned judgement, and he having paid
26 the same as security of the said J. W. M. Gra-
27 beel, becomes entitled to be subrogated to
28 the lien and to the rights of the said Har-
29 rison Edds as against the estate of the said
30 J. W. M. Grabeel. And the plaintiff's Judge-
31 ment and that of said Edds having been
32 rendered at the same term of Court are of
equal dignity and this being the fact and

1 condition of things a mutual arrangement
2 was thereupon made between the beneficial
3 plaintiffs in this cause and the said Jose-
4 phus Grabeel by which a ratable distribu-
5 tion of the net proceeds of the sale of said life
6 estate should be made between them.

7 The plaintiffs judgement when calculated
8 down to Feb. 19th 1894 amounts to the sum
9 of \$418. and the Edds judgement when
10 calculated to the same time amounts to
11 the sum of \$235. and a pro rata dis-
12 tribution of the net proceeds of the sale of
13 the life estate of \$349.68 will give to the
14 plaintiffs the sum of \$223.77, and to the
15 said Josephus Grabeel the sum of \$125.91.

16 Now in order to keep this matter sepa-
17 rate as just stated I required the said
18 B. G. Grabeel and his surety to execute to
19 me as Commissioner his three notes for
20 the sum of \$74.59 each due and payable
21 as aforesaid which embraces the sum due
22 the plaintiffs, and he also gave to me
23 his three notes for the sum of \$41.97 each
24 due and payable as aforesaid which
25 embraces the sum due the said Josephus
26 Grabeel out of the proceeds of the sale of
27 said life estate.

28 The plaintiffs as well as the said Josephus
29 Grabeel are willing to accept of me the
30 notes before referred to and collect them
31 themselves. I therefore suggest that a
32 Commissioner be appointed as soon as

1 this report shall be confirmed with direc-
2 tion to convey to the said B. C. Grabeel by
3 a proper deed the said life estate retaining
4 therein the vendor's lien for the said pur-
5 chase money.

6 Respectfully submitted
7 L. T. Hyatt, Counr.
8
9
10
11
12
13
14
15
16
17

18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
Silas H. Hale for &c.
vs. Counr's Report & Sale.

J. W. M. Grabeel & others.

Filed Feb. 23^d 1894

A. B. Manney clerk

Virginia

At a Circuit Court Continued and held for
Lee County at the Court House thereof April 3 1892
Silas H. Hale for Morgan Armstrong Peff
vs.
J W M Grabel } In Debt.
Dft

This day came again the parties by their attorneys, and
the jury sworn on yesterday to try the issue in this cause
appeared in court pursuant to their adjournment and
having heard the evidence and argument of counsel
were sent to their room to consult of their verdict, and
after which consultation they returned into court, and
upon their Oaths do say "We of the jury find for the Peff
the debt in the declaration mentioned namely \$300.00 with
legal interest on \$75.00 part thereof from Oct. 12 1890. and the
like interest on \$75.00 another part thereof from Nov. 12 1890, and the
like interest on \$75.00 another part thereof from Dec. 12 1890. and the like
interest on \$75.00 the residue thereof from Jan. 12 1891 till paid. It
is therefore considered by the court that the plaintiff recover of
the defendant the said sum of \$300- with legal interest on
said several parts thereof as aforesaid till paid, and the costs
of this suit

B 20 24
S 6. 10
W 31. 74
A 2 50
b. b. b. 25
\$ 60.83

Extracts from the record.
Teste J. A. Wyatt Clerk

Silas H. Hale for +6

no. { copy of Judgt.

J W M Grubbs

(A)

James.

Conf'd

Oct 19 1870 June 22 1871. The land of Peter Fulkerson
dead was partitioned among his heirs, of whom Margarett
E Fulkerson was one, W. W. Fulkerson was one & Margarett
F. L. Henry & Saymonster P. Henry represented a third

There but two were assigned 88 acres of said
Peter Fulkerson land and the same was censured $\frac{1}{3}$
& Margarett E. was assigned the other $\frac{2}{3}$

J. W. H. Gabriel claimed Margarett F. L. Henry the

Memo.

Commissioner's Statement.

Silas H. Hule for &c.,

Plaintiff.

vs.

In Chancery.

J. W. M. Grubbeel and others.

Amount recovered by decree entered Nov. 14th 1883	\$360.83.
Int. on \$75. paid thereof from October 12th '90 to date	15.08.
" " \$75. " " " November " " "	14.71.
" " " " " December " " "	14.33.
" " " " " January " '91 " "	13.96.
Costs of chancery suit	38.32.
	<hr/>
	\$457.23
Commissions of sale.	18.93.

Less G. A. L. Fee

\$476.16
<hr/>
\$-00
<hr/>
\$476.16

Know all Men by these Presents, That we L. T. Hyatt and J. A. G. Hyatt

are held and firmly bound unto the Commonwealth of Virginia, in the sum of Seven
Hundred dollars, to payment whereof, well and truly to be made to

the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to discharge any liability arising under this bond, or by virtue of said office or trust, in any currency, funds, counter claims or offsets other than legal-tender currency of the United States.

Sealed with our seals, and dated this 19th day of February
one thousand eight hundred and ninety four.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound L. T. Hyatt
shall faithfully perform the duties of his office or trust, as Commissioner

under a decree of the Circuit Court of the County of Lee, pronounced on the 14th day
of November, 1894, in the suit therein depending under the name and style
of S H Hale for &c against J W M Grabel

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the
presence of

L. T. Hyatt [SEAL.]

J. A. G. Hyatt [SEAL.]

[SEAL.]

In the Clerk's Office of the Circuit Court of the County of Lee.

This day J. A. G. Hyatt
surety on the above bond, made oath before me A. B. MUNSEY, Clerk of the Circuit Court
of the County of Lee, that his estate after the payment of all his just
debts, and those for which he bound as security for others, and expect to
have to pay is worth the sum of Seven hundred
dollars.

Given under my hand this 19th day of February 1894.

A Copy Teste: A. B. Munsey Clerk
A. B. Munsey

S. H. Hale, for &c
vs
J. W. M. Grabel

to { **COMMISSIONER
BOND.**

Commonwealth.

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

J. W. M. Grabeel, B. C.

Grabeel, Lizzie Grabeel, and Louise Grabeel,

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in *February* next, being rule day to answer a bill in Chancery exhibited in our said Court

against

them

by

Silas H. Hale, who

sues for the benefit of Harry J. Morgan and Wm. H. Armstrong late private bankers doing business under the name of Powell's Valley Bank.

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *20th* day of *January* 189*3*, in the 11*7* year of the Commonwealth.

A Copy Teste

J. A. G. Hyatt Clerk.

H. J. M.

S. H. Hale for &c

3 Spain they
vs 3

J. W. M. Grabel et al.

To 1st Feby. Rules 1893.

Executed by
delivering a true
Copy of the within
Spec. to B. C. Grabel
this Feb 1st 1893.

J. M. Weston L.S.
for C. E. Flanary
S. L. C.

1 copy

Virginia

In the Clerk's Office of the Circuit Court of the County of
Lee on the 20th day of January 1893.

J. H. Wells for &c
against

Plaintiff

In Chancery

J. W. M. Grabel et al

Defendant

The object of this suit is to

enforce a Judgment Lien

of \$ 10.00 & interest thereon from 12 day of
1891 till paid and \$ 2.23 costs and the costs
of this suit against the land in Bill mentioned.

And an affidavit having been made and filed that the defendants J. W. M. Grabel, Lizzie
Grabel and Eloise Grabel are
not residents of the State of Virginia, it is ordered that they do appear here, within fifteen days
after due publication hereof, and do what may be necessary to protect their interest in this suit. And
it is further ordered that a copy hereof be published once a week for four weeks in the
, and that a copy be posted at the front door of the court-house of this
on the first day of the next term of the Court

A copy—Teste:

H. J. Morgan p. q.

J. A. S. Hyatt Clerk.

S. H. Hale for &c

vs.

}

ORDER OF
PUBLICATION.

J. H. M. Graham et al

*I certify that I
pasted a copy of
this order on the
Court house door
on the first day
of publication 1893
J. A. Corbett*

Notice!

Silas H. Hale for &c.

vs.

J.W.M. Grabeel and others.

Pursuant to the requirements of a decree entered in the above styled cause on the 14th day of November 1893, I will proceed, on the 19 day of February 1894 being the first day of the February term of the County Court, to sell, at public outcry at the front door of the Court House to the highest bidder, the life estate of J.W.M. Grabeel as tenant by the courtesy in the one undivided half of the 88 acre tract of land which was laid off and assigned by Commissioners of the Court to Sylvester P. Hensly and Margaret F. L. Hensly, and lying about 14 miles west of Jonesville and between the lands of Josephus Grabeel and E. S. King and on both sides of the main road. At this sale so much cash as will pay the costs of this suit and commissions of sale will be required to be paid in hand, and as to the residue six twelve and eighteen months time will be given in equal instalments with interest from day of sale, and the purchaser will be required to give bond with approved security for the deferred payments.

L. J. Hyatt, Court.

S. H. Hale for &c
vs Copy of notice
J. N. M. Grabel & others

VIRGINIA: In the clerk's office of the circuit court of the county of Lee on the 20th day of January 1893.

S. H. Hale for &c., plaintiff.

vs.

J. W. M. Grabeel et al, defendants.

In Chancery.

The object of this suit is to enforce a judgment lien of \$300.00 and interest thereon; \$75.00 from October 12, 1890 on \$75.00 from 12th November 1890; on \$75 from 12th Dec. 1890, and on \$75 from 12th day of January 1891, till paid and \$60 83 costs and the costs of this suit against the land in the bill mentioned. And an affidavit having been made and filed that the defendants J. W. M. Grabeel, Lizzie Grabeel and Louise Grabeel are not residents of the State of Virginia, it is ordered that they do appear here, within fifteen days after due publication hereof, and do what may be necessary to protect their interest in this suit. A copy—tester

J. A. G. HYATT, Clerk.

H. J. Morgan, p. q.

4-22-4t

VIRGINIA, Lee County, To wit: I

Geo. C. Coleman, editor and publisher

of the LEE COUNTY REPUBLICAN, a news-

paper, printed in the town of Jonesville.

in the county of Lee, Virginia, do here-

by certify that the foregoing order of

publication was duly published in said

paper for four successive weeks, from

and after the 22 day of... *Feb*

189... *9* Ending on the 27 day of... *May*

..... 189... *9*

Geo. C. Coleman,

Editor and Publisher

S. H. Hale for &c

vs 3 Printers
3 Certificate

J. W. M. Brainerd

Pro fee \$5.00